

FURTHER TO BUSINESS EXCELLENCE ADVISORY BOARD MEETING

#7/06

To be held Friday, January 19, 2007

Pages

FURTHER TO:

7. SECTION I - ITEMS FOR AUTHORITY ACTION

NEW ITEM

**7.10 TELE-MOBILE COMPANY (TELUS MOBILITY) PROPOSAL - LAKE ST.
GEORGE**

63-66

TO: Chair and Members of the Business Excellence Advisory Board
Meeting #7/06, January 19, 2007

FROM: James W. Dillane, Director, Finance and Business Services

**RE: TELE-MOBILE COMPANY (TELUS MOBILITY) PROPOSAL - LAKE ST.
GEORGE
CFN 38134**

KEY ISSUE

Proposal to lease Toronto and Region Conservation Authority-owned land at the northeast corner of Bayview Avenue and Bethesda Sideroad, Town of Richmond Hill, Regional Municipality of York to construct and operate a cell phone antenna and associated equipment.

RECOMMENDATION

THE BOARD RECOMMENDS TO THE AUTHORITY THAT WHEREAS the Toronto and Region Conservation Authority (TRCA) has been requested by Tele-Mobile Company (Telus Mobility) to enter into a lease arrangement for lands situated on the northeast corner of Bayview Avenue and Bethesda Sideroad;

AND WHEREAS it is in the opinion of TRCA that it is in the best interests of TRCA in furthering its objectives, as set out in Section 20 of the Conservation Authorities Act, to cooperate with Telus Mobility in this instance;

THAT TRCA enter into a lease of approximately 0.04 hectares, more or less, (0.1 acres) with Telus Mobility for the construction and operation of a cell phone antenna and associated equipment, said land being Part of the West Half of Lot 6, Concession 2, Town of Richmond Hill, Regional Municipality of York;

THAT the lease with Telus Mobility be premised on the following:

- (i) the initial term of the lease will be for five years, with three renewal options for successive five year periods subject to the concurrence of TRCA to the renewals;**
- (ii) the lease rate is to be \$14,612.84 per annum;**
- (iii) Telus Mobility is to be responsible for all approvals required for construction of a cell phone antenna and associated equipment;**
- (iv) Telus Mobility shall be solely responsible for all costs associated with the construction of a cell phone antenna and associated equipment;**
- (v) any other terms and conditions deemed appropriate by the TRCA's solicitor.**

THAT an archaeological review is to be completed at the expense of Telus Mobility with any mitigative measures being carried out to the satisfaction of the TRCA;

AND FURTHER THAT the appropriate TRCA officials be authorized and directed to take

whatever action may be required to give effect thereto, including the obtaining of necessary approvals and the execution of any documents.

BACKGROUND

This report was deferred at Business Excellence Advisory Board Meeting #6/06, held on November 17, 2006, to give staff the opportunity to obtain additional options from Telus Mobility.

TRCA has been approached by Telus Mobility to locate a cell phone antenna and associated equipment on TRCA-owned land in the vicinity of Lake St. George. Telus Mobility's equipment requirement for this proposal includes a 40 metre high tower with a 12' x 27' shelter, which would be housed in a 50' x 50' compound. The driveway will be approximately 12' - 15' in width with another 5' - 10' for utilities. Telus Mobility has indicated that they would work with TRCA to develop an aesthetically pleasing design for top of the tower.

TRCA education staff at the Lake St George field centre have been consulted and are supportive of the proposal.

RATIONALE

At the meeting on November 17, 2006, the members requested that staff advise if other options for the location of the tower were possible and to present drawings showing how the tower would look when constructed on site. Staff will have available at the meeting three options for the look of the tower: Option A is a flag pole with a Canadian flag; Option B is a triangular shaped tower with enclosed antennae cabinet at the top (TRCA can decide colour); Option C is a traditional steel frame tower with antennae at the top.

There are two location options: Location Option 1 is at the corner of Bayview Avenue and Bethesda Sideroad (as proposed November 17, 2006); Location Option 2 is further east on Bethesda Sideroad near the entrance to the Lake St George Field Centre.

Staff recommend that the location be Option 2, further east on Bethesda near the entrance to lake St George. Staff also recommend the flag pole design. This design has worked well at the TRCA Boyd Conservation Area. The flag pole would help identify the entrance to Lake St. George and having the Canadian flag flying at our education centre seems appropriate. Telus Mobility would be responsible for maintenance of the flag.

Lease Agreement

The area subject to this lease consists of approximately 0.04 hectares of land (0.1 acres) all of which is table land. A sketch showing the lands subject to this lease is attached.

The following are the key terms of the proposed lease arrangement:

1. Lease Payment: \$14,612.84 (present rate for the Boyd Telus tower) plus GST per annum to be increased by 2% per year;
2. Initial Term: 5 years;
3. Renewals: 3 successive 5 year terms subject to TRCA concurrence;

4. Access: Telus Mobility will be provided with access to the antenna and shelter at all times;
5. Insurance: Telus Mobility will provide \$5,000,000 in commercial general liability;
6. Realty Taxes: Telus Mobility will pay all taxes levied against the property;
7. Hydro: Telus Mobility will be responsible for electrical connections and charges relating to this use;
8. Approvals: Telus Mobility will comply will all required laws, directions, rules and regulations;
9. Equipment removal: Telus will remove all equipment and restore the site to the satisfaction of TRCA within 90 days of termination of the lease.

DETAILS OF WORK TO BE DONE

Upon TRCA approval, the necessary other approvals required to bring the lease into effect will be pursued.

FINANCIAL DETAILS

The \$14,612.84 per year in revenues generated from this lease will be used for TRCA purposes.

Report prepared by: Mike Fenning, extension 5223

For Information contact: Mike Fenning, extension 5223 or Ron Dewell, extension 5245

Date: October 03, 2006

Attachments: 1

Attachment 1

TELE-MOBILE COMPANY (TELUS MOBILITY) PROPOSAL - LAKE ST. GEORGE
CFN 38134

